

Appl. No. 10/075,249
Response dated April 6, 2006
Reply to Office action of January 10, 2006

REMARKS/ARGUMENTS

By the present amendment, claims 1 and 5 have been amended and claims 2, 3, 4 and 8-11 have been cancelled, rendering claims 1, 5, 6, and 7 pending in the present application. The amendments to the claims have been made without prejudice and without acquiescing to any of the Examiner's objections. The Applicants reserve the right to pursue any of the deleted subject matter in a further continuation, continuation-in-part or divisional application. The amendment does not contain new matter and its entry is respectfully requested.

The Official Action dated January 10, 2006 has been carefully considered. It is believed that the following comments represent a complete response to the Examiner's rejections and place the present application in condition for allowance. Reconsideration is respectfully requested.

35 USC §112, First Paragraph

The Examiner has rejected claims 1 to 7 under 35 USC §112 as lacking enablement for determining the susceptibility of any patient to antidepressant-induced mania, wherein the patient is anyone treated with any antidepressant or where the antidepressant-induced mania is related to another mood or anxiety disorder. However, the Examiner confirms that the specification is enabling for determining the susceptibility of Bipolar I or Bipolar II patients to antidepressant-induced mania related to Bipolar Disorder, wherein the antidepressant is a pro-serotonergic agent.

By the present amendment, the Applicants have amended claim 1, without prejudice, to specify that the patient has Bipolar Disorder and is being treated with antidepressants that are pro-serotonergic agents. This amendment overcomes the enablement rejection as the Examiner has acknowledged enablement for the subject matter of amended claim 1.

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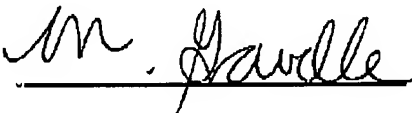
In view of the foregoing, we respectfully request that the rejection to claims 1 to 7 under 35 USC§112, first paragraph be withdrawn.

The Commissioner is hereby authorized to charge any fee (including any claim fee) which may be required to our Deposit Account No. 02-2095.

In view of the foregoing comments and amendments, we respectfully submit that the application is in order for allowance and early indication of that effect is respectfully requested. Should the Examiner deem it beneficial to discuss the application in greater detail, he is kindly requested to contact the undersigned by telephone at (416) 957-1682 at his convenience.

Respectfully submitted,

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By 

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